

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**AUG 02 2010**

DAVID J. MALAND, CLERK  
BY DEPUTY \_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

ALEC HAMID

§  
§ NO. 4:10CR 159  
§ Judge Schell  
§  
§

**ELEMENTS OF THE OFFENSE**

TO THE HONORABLE Judge Schell, UNITED STATES JUDGE FOR THE  
EASTERN DISTRICT OF TEXAS:

21 U.S.C. § 846, makes it a crime for anyone to conspire with someone else to commit a violation of certain controlled substances laws of the United States. In this case, the defendant is charged with conspiring to manufacture or distribute or possess with intent to manufacture or distribute a controlled substance or controlled substances.

A "conspiracy" is an agreement between two or more persons to join together to accomplish some unlawful purpose. It is a kind of "partnership in crime" in which each member becomes the agent of every other member.

The elements of conspiracy are:

First: That two or more persons, directly or indirectly, reached an agreement to manufacture or distribute or possess with intent to manufacture or distribute a controlled substance or controlled substances.

Second: That the defendant knew of the unlawful purpose of the agreement; and

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose.

Respectfully submitted,

JOHN M. BALES  
United States Attorney



Heather Rattan  
Assistant United States Attorney  
Texas Bar No. 19349300  
101 East Park Boulevard, Suite 500  
Plano, Texas 75074  
(972) 509-1201

**Certificate of Service**

I hereby certify a true and correct copy of the foregoing was served by email  
Phillip Linder this the 30<sup>th</sup> day of July 2010.

  
\_\_\_\_\_  
Heather Rattan

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**ALEC HAMID**

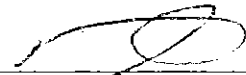
§  
§  
§  
§  
§

4:10  
Cause No. ~~4:09~~CR 159  
Judge Schell

**WAIVER OF INDICTMENT**

I, ALEC HAMID, the above named defendant, who is accused in the Eastern District of Texas of knowingly or intentionally conspiring or agreeing with Adam Hamid or with other co-conspirators or with other persons known or unknown to the United States Attorney to knowingly or intentionally possess with the intent to distribute or distribute two (2) kilograms of a mixture or substance which contains cocaine, being advised of the nature of the charge, the proposed information, and of my rights, hereby waive in open court on \_\_\_\_\_, 2010, prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

  
ALEC HAMID,  
Defendant

  
PHILIP LINDER,  
Attorney for Defendant

BEFORE:

\_\_\_\_\_  
JUDICIAL OFFICER